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12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 **MOISES JOSUE CORTEZ,**  
15 **Plaintiff,**

16 **vs.**

17 **BRANDON STUBBS, et al.,**  
18 **Defendants.**

Case No. 3:21-cv-00316-ART-CLB

**ORDER GRANTING**

**DEFENDANTS' MOTION TO EXTEND  
DISPOSITIVE MOTIONS DEADLINE  
ESTABLISHED BY COURT ORDER  
(ECF NO. 22)**

19 Defendants, Shane Brown, Jesse Cox, Christopher Davis, David Drummond, Jose  
20 Guzman, Sean Johnson, Macelen Kleer, Chet Rigney, William Ruebart, Angela Searle,  
21 Brandon Stubbs, James Weiland, by and through counsel, Aaron D. Ford, Attorney General  
22 of the State of Nevada, and Taylor M. L. Rivich, Deputy Attorney General, hereby move for  
23 a thirty (30) day extension of time to file dispositive motions in this matter, from March 21,  
24 2023, to April 20, 2023. This is the third request for an extension of deadlines initially  
25 established in the Court's Scheduling Order. ECF No. 22.

26 **I. RELEVANT BACKGROUND**

27 On November 21, 2022, former DAG Sheryl Serreze (DAG Serreze) simultaneously  
28 filed a Notice of Change of DAG and a Motion for Enlargement of Time requesting that the

1 Court grant a 60-day extension of discovery deadlines. ECF Nos. 53-54. That extension  
 2 provided more time for Plaintiff Moises Cortez (Cortez) to serve discovery requests on  
 3 Defendant Sean Johnson, and provided more time for DAG Serreze to get up to speed on  
 4 the case. The Court granted the motion the next day on November 22, 2022. ECF No. 55.  
 5 Per that order, the deadline for dispositive motions was set for February 19, 2023. *Id.* at 1.

6 On February 7, 2023, Undersigned Counsel filed a motion to extend the deadline for  
 7 filing dispositive motions, on the grounds that more time was necessary due to the recent  
 8 reassignment of this matter from DAG Serreze, a trial in a separate matter demanding  
 9 counsel's attention, and various other deadlines. ECF No. 61. This Court granted the  
 10 extension the following day and set the new deadline for dispositive motions for March 21,  
 11 2023. ECF No. 62.

## 12 **II. LEGAL STANDARD**

13 Pursuant to Federal Rules of Civil Procedure 6(b), the "court may, for good cause,  
 14 extend the time . . . with or without motion or notice . . . if a request is made, before the  
 15 original time or its extension expires." Fed. R. Civ. P. 6(b); *see also* LR 26-3. Here, good  
 16 cause exists to grant Defendants' request for an additional thirty (30) days to file dispositive  
 17 motions.

## 18 **III. DECLARATION OF TAYLOR M. L. RIVICH**

- 19 1. I, Taylor Rivich, declare under penalty of perjury that the following is true and  
 20 correct of my own personal knowledge and if called to testify in this matter I would  
 21 testify as follows:
- 22 2. I am the Deputy Attorney General currently assigned to represent Defendants  
 23 Brown, Cox, Davis, Drummond, Guzman, Johnson Kleer, Rigney, Ruebart, Searle,  
 24 Stubbs, and Weiland in this matter. I entered an appearance for these Defendants  
 25 on January 13, 2023.
- 26 3. I have an active case load of approximately 30-35 active cases.
- 27 4. Due to personal illness, I left work early on Friday, March 10, 2023, and did not work  
 28 in any substantial capacity again until today, Wednesday, March 15, 2023.

5. My illness could not have been foreseen at the time I filed the Defendants' second request for an extension on February 7, 2023.
6. I intended to spend a significant amount of time between March 10, 2023, and March 15, 2023, preparing Defendants' dispositive motion in this matter.
7. I have numerous deadlines approaching, which lead me to believe that another thirty-day extension will be necessary for me to prepare a dispositive motion.
8. In USDC 2:21-cv-01337-JAD-NJK, I am preparing an EMC Statement due March 17, 2023.
9. In USDC 3:22-cv-00113-RCJ-CSD, I am preparing an EMC Statement due March 21, 2023.
10. In USDC 2:21-cv-00075-RFB-VCF, I am preparing a Motion for Summary Judgment due March 31, 2023.
11. In USDC 2:22-cv-01087-GMN-VCF, I am preparing an EMC Statement due March 31, 2023.
12. In USDC 2:20-cv-01832-ART-NJK, I am preparing a Motion for Summary Judgment due April 3, 2023.
13. In USDC 2:22-cv-01011-ART-EJY, I am preparing an Answer due April 4, 2023.
14. In USDC 2:21-cv-01558-CDS-DJA, I am preparing an Answer due April 11, 2023.
15. In USDC 2:22-cv-00615-APG-VCF, I am preparing an EMC Statement due April 14, 2023.
16. In USDC 3:21-cv-00311-MMD-CLB, I am preparing a Motion for Summary Judgment due April 19, 2023.
17. This non-comprehensive list of deadlines does not include hearings, teleconferences, or responses to miscellaneous motions.

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1 **IV. CONCLUSION**

2 Given the large investment of time required to prepare an effective dispositive  
3 motion, the numerous upcoming deadlines, and the lack of apparent prejudice to other  
4 parties, Defendants respectfully request the Court order that April 20, 2023, be the new  
5 deadline to file dispositive motions in this matter.

6 DATED this 15<sup>th</sup> day of March 2023.

7 AARON D. FORD  
8 Attorney General

9 By: /s/ Taylor M. L. Rivich  
10 TAYLOR M. L. RIVICH (Bar #15991)  
Deputy Attorney General

11  
12 *Attorneys for Defendants*  
13 *Shane Brown, Jesse Cox,*  
14 *Christopher Davis, David Drummond,*  
15 *Jose Guzman, Sean Johnson,*  
16 *Macelen Kleer, Chet Rigney,*  
17 *William Ruebart, Angela Searle,*  
18 *Brandon Stubbs and James Weiland*

17 **NO FURTHER EXTENSIONS OF TIME TO FILE DISPOSITIVE MOTIONS**  
18 **WILL BE GRANTED.**

19 **IT IS SO ORDERED.**

20 **DATED:** March 15, 2023

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UNITED STATES MAGISTRATE JUDGE